



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: GROWTH MANAGEMENT HEARINGS BOARD

Permanent Rule Only

Effective date of rule:

Permanent Rules

XX 31 days after filing.

☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: RCW 36.70A.270(7) authorizes the Board to develop and adopt rules of practice and procedure, including rules regarding expeditious and summary disposition of appeals. In 1992, the then-existing three growth management hearings boards adopted joint rules. These rules have been minimally amended since that time. Therefore, the Board has conducted, in conjunction with interested parties, a comprehensive evaluation of its rules and made extensive modifications. Due to the wide-ranging nature of the modifications, the Board's existing rules – WAC 242-02 - are repealed in their entirety and replaced with these new rules, WAC 242-03 (see Notice published in WSR 11-5-086 for repealed rules).

Citation of existing rules affected by this order:

Repealed:

Amended:

Suspended:

Statutory authority for adoption: RCW 36.70A.270(7)

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-5-087 on February 15, 2011 (CR-102) and WSR 10-15-001 on July 7, 2010 (CR-101).

Describe any changes other than editing from proposed to adopted version:

Adopted version further incorporates public and board member comment that was received during the rulemaking time period commenced after publication of CR-102 in WSR 11-5-087 so as to better reflect the Board's practice and respond to the needs of parties appearing before the Board including cities, counties, state agencies, and practice practitioners.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____

Address: _____ fax () _____

e-mail _____

Date adopted:

June 7, 2011

NAME (TYPE OR PRINT)

James McNamara

TITLE

Chair – Rules Committee

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 21, 2011

TIME: 11:19 AM

WSR 11-13-109

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	83	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>83</u>	Amended	<u>0</u>	Repealed	0
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>83</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>83</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>